

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Emilia Mancini	Team: Squad #6	CCRB Case #: 201806784	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 08/16/2018 7:00 PM	Location of Incident: [REDACTED]	Precinct: 113	18 Mo. SOL 2/16/2020	EO SOL 2/16/2020	
Date/Time CV Reported Fri, 08/17/2018 12:53 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 08/17/2018 12:53 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Yevgeniy Zaytsev	12848	949825	113 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Jason Bal	27082	956408	113 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Yevgeniy Zaytsev	Discourtesy: Police Officer Yevgeniy Zaytsev spoke discourteously to § 87(2)(b) [REDACTED]	[REDACTED]

### Case Summary

On August 17, 2018, § 87(2)(b) filed this complaint via phone with the CCRB.

On August 16, 2018, at approximately 6:30 p.m., § 87(2)(b) and her co-worker, § 87(2)(b) found out that an unidentified male ran away from the group home where they work as child caseworkers. § 87(2)(b) and § 87(2)(b) called 911 and drove to the LIRR station located near § 87(2)(b), a known location the male runs to. While driving, § 87(2)(b) hit a police van that was double parked on the street. PO Yevgeniy Zaytsev and PO Jason Bal, who responded to the 911 call, located the male inside the LIRR station. As they walked back to their van with the male, the officers learned that § 87(2)(b) hit their vehicle. PO Zaytsev allegedly told § 87(2)(b) “You people don’t know how to do your fucking job” referring to the caseworkers of the group home, and “Now I have to leave my office to file two fucking reports instead of one” (**Allegation A: Discourtesy**, § 87(2)(g)). PO Zaytsev asked § 87(2)(b) to provide her driver’s license, but she left with § 87(2)(b) and went back to the group home. The officers later went to the group home and issued § 87(2)(b) a summons for leaving the scene of an accident.

### Findings and Recommendations

#### **Allegation A Discourtesy: Police Officer Yevgeniy Zaytsev spoke discourteously to § 87(2)(b)**

In her interview, § 87(2)(b) testified that as she and her coworker, § 87(2)(b) were driving to the Locust Manor LIRR station, to locate a runaway male from their group home, when she hit a police van that was parked diagonally and partially blocking her driving lane. § 87(2)(b) pulled up by the curb and told § 87(2)(b) to go check for the missing individual inside of the station. As § 87(2)(b) was leaving, she and § 87(2)(b) saw PO Zaytsev and PO Bal walking with the missing individual towards the police van. § 87(2)(b) and § 87(2)(b) exited their van and walked towards the officers. Upon approaching them, PO Zaytsev stated, “You people don’t know how to do your fucking job” in reference to the staff of the group home. A bystander told the officers that § 87(2)(b) hit the police van and PO Zaytsev stated, “Are you serious? Now I have to leave my office to file two fucking reports instead of one” [01 Board Review].

In her phone statement, § 87(2)(b) testified that upon approaching her and § 87(2)(b) PO Zaytsev stated, “You don’t know how to do your fucking job” and had a nasty attitude. § 87(2)(b) denied that PO Zaytsev used any other profanity. § 87(2)(b) refused to come to the CCRB for an in-person interview [02 Board Review].

The investigation was unable to obtain identifying information on the missing individual.

In his interview with the CCRB, PO Zaytsev testified that upon walking back from the Locust Manor LIRR station to the police van, with PO Bal and the missing individual, he and PO Bal were stopped by a security officer of an apartment complex located across the street, who told him that § 87(2)(b) and § 87(2)(b) hit the police van. The security officer was not present during the interaction between § 87(2)(b) and the officers. § 87(2)(b) identified herself as part of the staff of the group home and as the driver of the vehicle that hit the police van. PO Zaytsev denied that he stated, “You people don’t know how to do your fucking job.” PO Zaytsev denied that he stated, “Now I have to leave my office to file two fucking reports instead of one.” PO Zaytsev denied that he used any profanity [03 Board Review].

In his interview with the CCRB, PO Bal testified that upon reaching the police van, he and PO Zaytsev were approached by a security officer of the § 87(2)(b) apartment complex who told them that § 87(2)(b) and § 87(2)(b) hit their van. § 87(2)(b) and § 87(2)(b) approached the officers and § 87(2)(b) identified herself as the driver of the vehicle that hit the police van. PO Bal walked to the police van with the missing individual and made him sit in the back seats. PO Bal turned the AC on and sat next to the missing individual in the police van to make sure he did not run away. PO Bal stated that he was “half in and half out” the van, and could only partially hear PO Zaytsev, who was talking to § 87(2)(b) on the sidewalk. PO Bal heard PO Zaytsev asking § 87(2)(b) to provide her driver’s license and registration. PO Bal denied that he heard PO Zaytsev saying, “You people don’t know how to do your fucking job.” PO Bal denied that he heard PO Zaytsev saying, “Now I have to leave my office to file two fucking reports instead of one.” PO Bal denied that PO Zaytsev used any profanity [04 Board Review].

§ 87(2)(g), § 87(2)(b)

#### **Civilian and Officer CCRB Histories**

- This is the first CCRB complaint to which § 87(2)(b) has been a party [05 Board Review].
- PO Zaytsev has been a member of service for eight years. He has been subject in thirteen prior investigations, 201114739, 201300962, 201307363, 201402493, 201404108, 201411788, 201412543, 201700406, 201700811, 201706666, 201710667, 201800210, and 201802713.
- In 201411788, a vehicle stop allegation was substantiated; the Board recommended charges. The Administrative Prosecution Unit (APU) found PO Zaytsev not guilty and did not impose any penalty on him.

#### **Mediation, Civil and Criminal Histories**

- This complaint was eligible for mediation, but § 87(2)(b) declined to mediate.
- A Notice of Claim Inquiry was filed with the Office of the New York City Comptroller on October 18, 2018. The request is still pending, as of the writing of this report [06 Board Review].

• § 87(2)(b)

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Squad No.: 6

Investigator: \_\_\_\_\_ Emilia Mancini \_\_\_\_\_  
Signature Print Title & Name Date

Squad Leader: \_\_\_\_\_  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_  
Signature Print Title & Name Date